

ORIGINAL

BEFORE THE
Federal Communications Commission
WASHINGTON, D.C. 20554

In the Matter of

Reclassification of License
of FM Station WKIS, Boca Raton, Florida
and WHYI-FM, Fort Lauderdale, Florida

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OCT 18 2004

Federal Communication Commission
Bureau/Office

OCT 18 2004

To: Assistant Chief, Audio Division

Federal Communications Commission
Office of the Secretary

STATEMENT IN RESPONSE TO ORDER TO SHOW CAUSE

WKIS License Limited Partnership ("Licensee"), the licensee of FM Station WKIS, Channel 260C, Boca Raton, Florida (Facility ID No. 64001), by its attorneys, hereby responds to the Order to Show Cause, DA 04-2858 (rel. Sept. 3, 2004) in the above-captioned proceeding ("*Order to Show Cause*").

The *Order to Show Cause* arises from a Petition for Rule Making filed by Charles Crawford ("Crawford") that seeks allotment of Channel 262A at Lake Park, Florida and proposes the reclassification of Stations WKIS(FM) and WHYI-FM from Class C to Class C0 to accommodate that allotment. The *Order to Show Cause* requires Licensee to show cause why its license should not be modified to specify operation on Channel 260C0 in lieu of Channel 260C at Boca Raton, Florida as Crawford proposed. The *Order to Show Cause* provides Licensee until October 18, 2004 to file a written statement showing why the Commission should not modify its license. This Statement is therefore timely filed.

In accordance with the Commission's rules, Licensee hereby advises the Commission that it intends to seek authority to modify the facilities of Station WKIS(FM) to increase the antenna height to at least 451 meters HAAT, the minimum required HAAT for Class C stations.

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Licensee expects to file such application within the next 180 days, as provided by the Commission's Rules.

As a result, the Commission should not reclassify the license of Station WKIS(FM) to specify operation on Channel 260C0 as Crawford proposed. In addition, the Commission must dismiss Crawford's triggering petition upon Licensee's filing of an acceptable construction permit application to increase Station WKIS(FM)'s antenna height to at least 451 meters HAAT, as specified in note 2 to Section 1.420(g).

Respectfully submitted,

WKIS LICENSE LIMITED PARTNERSHIP

By: 
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October 18, 2004

Its Attorneys

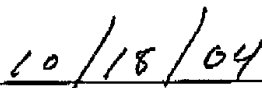
DECLARATION

Joel Bell hereby declares under penalty of perjury that the following is true and correct:

1. I am General Manager of FM Station WKIS, Boca Raton, Florida, which is licensed to WKIS License Limited Partnership ("WKIS").
2. WKIS hereby states its intent to seek authority to modify the facilities of WKIS(FM), Channel 260C, Boca Raton, Florida (Facility ID No. 64001) to increase the antenna height to at least 451 meters HAAT. WKIS intends to file an application seeking such authority within 180 days of October 18, 2004, as provided by the Commission's Rules.



Joel Bell



Date

CERTIFICATE OF SERVICE

I, Genevieve F. Edmonds, hereby certify that a copy of the foregoing "Statement in Response to Order to Show Cause" was mailed, first class postage prepaid, this 18th day of October, 2004 to the following:

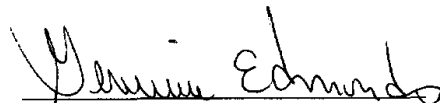
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